



Garden Shed Setback Waiver

Handout #44 Revised 1/6/03

What is the purpose of a garden shed waiver?

Each residential zone specifies yard setback requirements for building (e.g. houses must set back a minimum of 20 feet from the rear lot line). If certain conditions are met, however, side and rear yard setbacks for garden sheds may be reduced through a garden shed waiver application. A Garden Shed Setback Waiver is only applicable in the R1-5, R1-6, R1-7.5, R1-10 and R1-20 zoning designations.

What are the conditions that would allow a setback waiver for garden sheds?

Garden sheds may be allowed within the side and rear building setback area provided:

- Garden shed is less than 120 square feet in size;
- It is not more than twelve (12) feet in height;
- The total construction value of a garden shed does not exceed \$1,500;
- The roof drainage will be contained on site;
- It is used only to house garden tools or other horticultural products (Note: Garden sheds shall not be a place of human habitation or for vehicle parking or storage);
- Certification that no utilities will be connected to the garden shed; and,
- The abutting neighbors approve in writing.

(Note: A structure valued at more than \$1,500 or measuring more than 120 square feet is defined as an accessory building, which requires a building permit and must meet the yard setbacks of the underlying zone.)

How far can I reduce the needed setback requirement?

Garden sheds may be placed up to the side and rear property line if a garden shed waiver is approved (Note: No portion of the shed, including the roof overhang and/or any foundation, can project into the neighbor's yard.)

What if there are Covenants or Restrictions that would not allow placement of the garden shed in the setback area?

This waiver does not release you from obligations you may have as a result of any private covenants, conditions or restrictions.

What is the application process?

The first step is to contact the affected neighbors abutting your property on the rear and side lot lines for their written approval to place the garden shed (see the attached form). Once all signatures have been obtained, a "Development Review Application" form and "Garden Shed Waiver Agreement and Decision" form must be completed and signed (see attached forms). Next, a site plan must be prepared that includes the following:

- A north arrow and scale of drawing;

- Property boundaries;
- Footprint and setback distances of existing structures; and,
- Footprint and setback distances of proposed garden shed.

Once all the above have been completed, the application package must be submitted to the Public Service Center, Customer Service Center, located at 1300 Franklin Street, Vancouver, Washington. The application package must include:

- ☐ Completed and signed Development Review Application form;
- ☐ Payment of waiver fee in the amount of **\$44**;
- ☐ Garden Shed Setback Waiver Neighbor Approval Form signed by all affected neighbors;
- ☐ Proposed Site Plan all required items listed above; and,
- ☐ Signed Garden Shed Waiver Agreement and Decision form.

What if I didn't provide all the required information?

Applications with incomplete information will be returned to the applicant at the counter.

What kind of public notice is provided?

There is no public notice required for this type of review.

When will a decision be made?

A decision will be made at the counter if the applicant submits a complete application package. Staff's action on the "Garden Shed Waiver Agreement and Decision" serves as the applicant's written notice of decision.

Can the decision be appealed?

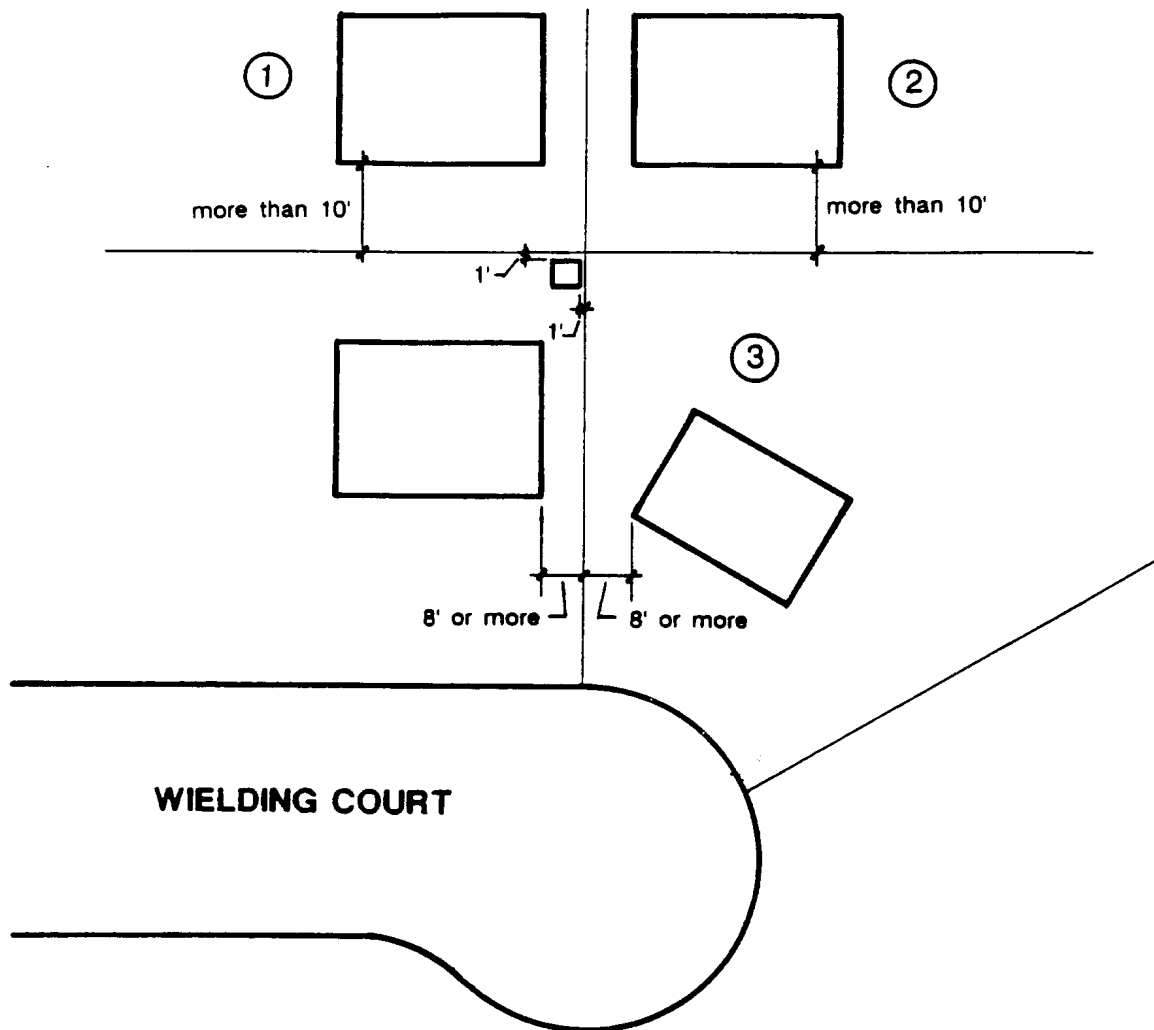
The Planning Director's decision may be appealed to the County Hearings Examiner by the applicant or any person or group. An appellant must submit an appeal application and **\$1009** fee within 14 calendar days after the written notice of the decision.

Note: This handout is not a substitute for county code. For more detailed information, please refer to Clark County Code 18.411.050(4) (Exceptions to Yard Requirements).

**Public Service Center
Department of Community Development
1300 Franklin Street
P.O. Box 9810
Vancouver, WA. 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011
Web Page at: <http://www.clark.wa.gov>**

SAMPLE PLOT PLAN

ADDRESS: 1401 WIELDING COURT



We certify that we are the owners of the designated adjoining properties and we approve of the garden shed as shown on this plot plan.

1. _____ 1415 Johnson Street
2. _____ 1419 Johnson Street
3. _____ 1407 Wielding Court

GARDEN SHED WAIVER AGREEMENT AND DECISION

Form DS1425 Revised 2/19/02



Case Number: _____

Applicant Name: _____

Garden Shed Address: _____

The following is a list of the required conditions for Garden Shed Setback waiver. Please read and initial each item in the box, and sign the certification agreeing to these conditions.

☐

Garden shed will be less than 120 square feet in size;

☐

It will not be more than twelve (12) feet in height;

☐

The total construction value of a garden shed will not exceed \$1,500;

☐

The roof drainage will be contained on site;

☐

The garden shed will only be used to house garden tools or other horticultural products, and will not be used as a place of human habitation or for vehicle parking or storage;

☐

No utilities will be connected to the garden shed; and,

☐

The affected neighbors have approved, in writing, the placement of the garden shed as depicted on the attached site plan.

I have read and understand the above conditions for a garden shed setback waiver, and agree to abide by these conditions. I understand that I must continually meet these standards in order to maintain a valid permit.

Applicant Signature _____ Date _____
(Letter of authorization required if other than property owner)

DECISION

Based on the information submitted in the application packet, the above certification, other information in county records, and county staff's review of this request against the applicable standards and criteria in Clark County Code Section 18.411.050(4), THIS APPLICATION IS HEREBY:

☐

DENIED

Reasons: _____

☐

APPROVED, subject to the standard conditions identified above and additional conditions listed below:

1. _____
2. _____
3. _____

Garden Shed Setback Waiver Neighbor Approval Form

Form DS1426 Revised 2/19/02



Your neighbor, _____, located at _____ is proposing to locate a garden shed next to the side and/or rear property line. In order to receive a waiver to place a garden shed within the normal setback standards for residential properties, affected neighbors that abut the side and rear yards must approve the shed placement.

As a condition of the garden shed placement, the following limitations will be required:

- Garden shed will be less than 120 square feet in size;
- It will not be more than twelve (12) feet in height;
- The total construction value of a garden shed will not exceed \$1,500;
- The roof drainage will be contained on site;
- The garden shed will only be used to house garden tools or other horticultural products, and will not be used as a place of human habitation or for vehicle parking or storage;
- No utilities will be connected to the garden shed; and,
- Will be placed within ____ feet of the (N, E, W or S) side lot line and within ____ feet of the rear lot line.

If you do not object to the placement of a garden shed on your neighbor's property (See Attached Proposed Site Plan), please sign your name and indicate your street address below:

| | |
|-------------|-----------------------|
| Name: _____ | Street Address: _____ |
| Name: _____ | Street Address: _____ |
| Name: _____ | Street Address: _____ |
| Name: _____ | Street Address: _____ |

DEVELOPMENT REVIEW APPLICATION FORM

(Form DS1400-Revised 2/19/02)



| | | |
|--|----------------|------------------------------|
| PROJECT NAME: | | |
| TYPE(S) OF APPLICATION (See Reverse Side): | | |
| DESCRIPTION OF PROPOSAL: | | |
| | | |
| | | |
| APPLICANT NAME: | Address: | |
| E-mail Address: | Phone and Fax: | |
| PROPERTY OWNER NAME (list multiple owners on a separate sheet): | Address: | |
| E-mail Address: | Phone and Fax: | |
| CONTACT PERSON NAME (list if not same as APPLICANT): | Address: | |
| E-mail Address: | Phone and Fax: | |
| PROJECT SITE INFORMATION: Site Address: | | Comp Plan Designation: |
| Cross Street: | Zoning: | Serial #'s of Parcels: |
| Overlay Zones: | Legal: | Acreage of Original Parcels: |
| Township: | Range: | ¼ of Section: |

AUTHORIZATION

The undersigned hereby certifies that this application has been made with the consent of the lawful property owner(s) and that all information submitted with this application is complete and correct. False statements, errors, and/or omissions may be sufficient cause for denial of the request. This application gives consent to the County to enter the properties listed above.

Authorized Signature

Date

| | | |
|--|---------------------------|--|
| Assigned at Customer Service Center | CASE NUMBER: | |
| | WORK ORDER NUMBER: | |

APPLICATION TYPES

If you have any questions regarding the type of application being requested, our Customer Service Center will be happy to assist you.

- ☐ Annual Review
- ☐ Appeal
- ☐ Boundary Line Adjustment and Lot Reconfiguration
- ☐ Conditional Use

Environmental/Critical Areas:

- ☐ Archaeological
- ☐ Critical Aquifer Recharge Area (CARA)
- ☐ Columbia River Gorge
- ☐ Forestry + (Moratorium Waiver, Moratorium Removal, Class I, Class IVG or COHP)
- ☐ Floodplain
- ☐ Geological
- ☐ Habitat
- ☐ Historic
- ☐ SEPA
- ☐ Shoreline
- ☐ Wetland

Land Division:

- ☐ Binding Site Plan
- ☐ Final Plat
- ☐ Plat Alteration
- ☐ Short Plat
- ☐ Subdivision

Miscellaneous:

- ☐ Addressing
- ☐ Accessory Dwelling
- ☐ Covenant Release
- ☐ Garden Shed Setback Waiver
- ☐ Home Occupation
- ☐ Legal Lot Determination & Innocent Purchasers Determination
- ☐ Non-Conforming Use Determination
- ☐ Reconstruct Letter
- ☐ Sewer Waiver
- ☐ Shooting Range
- ☐ Sign

Planning Director Review:

- ☐ Post Decision
- ☐ Pre-Application Conference
- ☐ Pre-Application Waiver
- ☐ Public Interest Exception
- ☐ Similar Use
- ☐ Temporary Use
- ☐ Other

- ☐ Planned Unit Develop/Master Plan
- ☐ Road Modification
- ☐ Site Plan
- ☐ Variance
- ☐ Zone Change